

01-09-01

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PTO/SB/18 (08-00)

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Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# DESIGN PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

First Named Inventor

Title

Express Mail Label No.

 Urbain Alfred von der Embse  
 New Complex Walsh Codes for CDMA

## ADDRESS TO:

 Assistant Commissioner for Patents  
 Box Design  
 Washington, DC 20231

**DESIGN V. UTILITY:** A "design patent" protects an article's ornamental appearance (e.g., the way an article looks) (35 U.S.C. 171), while a "utility patent" protects the way an article is used and works (35 U.S.C. 101). The ornamental appearance of an article includes its shape/configuration or surface ornamentation upon the article, or both. Because a design and a utility patent may be obtained on an article if invention resides both in its ornamental appearance and its utility. For more information see MPEP 1502.01.

## APPLICATION ELEMENTS

See MPEP chapter 1500 concerning design patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 35]  
(preferred arrangement set forth below, MPEP 1503.01)
  - Preamble
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Description of the figure(s) of the drawings
  - Feature description
  - Claim (only one (1) claim permitted, MPEP 1503.03)
4. ☒ Drawing(s) (37 CFR 1.152) [Total Sheets 7]
5. Oath or Declaration [Total Pages 2]
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 16 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
6. ☐ Application Data Sheet. See 37 CFR 1.76

## ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☐ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
13. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
14. ☐ Request for Expedited Examination of a Design Application (37 CFR 1.155)  
(NOTE: Substitute "Box Expedited Design" for "Box Design" in the address indicated above.)
15. ☐ Other: \_\_\_\_\_

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_  
 Prior application information: Examiner \_\_\_\_\_ Group Art Unit: \_\_\_\_\_

**For CONTINUATION or DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

Name

Urbain Alfred von der Embse

Address

PO Box 11690

City

Marina del Rey

State

CA

Zip Code

90295

Country

USA

Telephone

310-641-0498

Fax

310-641-1728

Name (Print/Type)

Urbain Alfred von der Embse

Registration No. (Attorney/Agent)

Signature

Urbain Alfred von der Embse

Date

5 Jan 2001

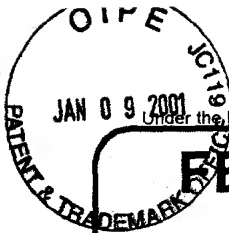
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01/09/01

JC945 U.S. PTO

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01/09/01



# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

## Complete if Known

|                      |                            |
|----------------------|----------------------------|
| Application Number   |                            |
| Filing Date          |                            |
| First Named Inventor | Urban Alfred von der Embse |
| Examiner Name        |                            |
| Group Art Unit       |                            |
| Attorney Docket No.  |                            |

TOTAL AMOUNT OF PAYMENT (\$)

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number: 3728 071562 55000
- Deposit Account Name: Dr U A von der Embse
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☒ Applicant claims small entity status. See 37 CFR 1.27
2. ☒ Payment Enclosed:
- ☐ Check ☒ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 101          | 710      | 201          | 355      | Utility filing fee     |          |
| 106          | 320      | 206          | 160      | Design filing fee      | 160      |
| 107          | 490      | 207          | 245      | Plant filing fee       |          |
| 108          | 710      | 208          | 355      | Reissue filing fee     |          |
| 114          | 150      | 214          | 75       | Provisional filing fee |          |

SUBTOTAL (1) (\$) 160

### 2. EXTRA CLAIM FEES

|                    |                                | Extra Claims |                                | Fee from below |                                 | Fee Paid                          |
|--------------------|--------------------------------|--------------|--------------------------------|----------------|---------------------------------|-----------------------------------|
| Total Claims       | <input type="text" value=""/>  | -20** =      | <input type="text" value=""/>  | X              | <input type="text" value=""/>   | = <input type="text" value=""/>   |
| Independent Claims | <input type="text" value="5"/> | -3** =       | <input type="text" value="2"/> | X              | <input type="text" value="40"/> | = <input type="text" value="80"/> |
| Multiple Dependent |                                |              |                                |                |                                 |                                   |

| Large Entity |          | Small Entity |          | Fee Description  |
|--------------|----------|--------------|----------|--|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |
| 103          | 18       | 203          | 9        | Claims in excess of 20                                     |
| 102          | 80       | 202          | 40       | Independent claims in excess of 3                          |
| 104          | 270      | 204          | 135      | Multiple dependent claim, if not paid                      |
| 109          | 80       | 209          | 40       | ** Reissue independent claims over original patent         |
| 110          | 18       | 210          | 9        | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 80

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 105          | 130      | 205          | 65       | Surcharge - late filing fee or oath  |          |
| 127          | 50       | 227          | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139          | 130      | 139          | 130      | Non-English specification  |          |
| 147          | 2,520    | 147          | 2,520    | For filing a request for ex parte reexamination                            |          |
| 112          | 920*     | 112          | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 113          | 1,840*   | 113          | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 115          | 110      | 215          | 55       | Extension for reply within first month                                     |          |
| 116          | 390      | 216          | 195      | Extension for reply within second month                                    |          |
| 117          | 890      | 217          | 445      | Extension for reply within third month                                     |          |
| 118          | 1,390    | 218          | 695      | Extension for reply within fourth month                                    |          |
| 128          | 1,890    | 228          | 945      | Extension for reply within fifth month                                     |          |
| 119          | 310      | 219          | 155      | Notice of Appeal   |          |
| 120          | 310      | 220          | 155      | Filing a brief in support of an appeal                                     |          |
| 121          | 270      | 221          | 135      | Request for oral hearing   |          |
| 138          | 1,510    | 138          | 1,510    | Petition to institute a public use proceeding                              |          |
| 140          | 110      | 240          | 55       | Petition to revive - unavoidable   |          |
| 141          | 1,240    | 241          | 620      | Petition to revive - unintentional   |          |
| 142          | 1,240    | 242          | 620      | Utility issue fee (or reissue)   |          |
| 143          | 440      | 243          | 220      | Design issue fee   |          |
| 144          | 600      | 244          | 300      | Plant issue fee  |          |
| 122          | 130      | 122          | 130      | Petitions to the Commissioner  |          |
| 123          | 50       | 123          | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 126          | 180      | 126          | 180      | Submission of Information Disclosure Stmt                                  |          |
| 581          | 40       | 581          | 40       | Recording each patent assignment per property (times number of properties) |          |
| 146          | 710      | 246          | 355      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149          | 710      | 249          | 355      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179          | 710      | 279          | 355      | Request for Continued Examination (RCE)                                    |          |
| 169          | 900      | 169          | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0

## SUBMITTED BY

Complete (if applicable)

|                   |                            |                                   |  |           |              |
|-------------------|----------------------------|-----------------------------------|--|-----------|--------------|
| Name (Print/Type) | Urban Alfred von der Embse | Registration No. (Attorney/Agent) |  | Telephone | 310-641-0488 |
| Signature         | Urban Alfred von der Embse |                                   |  | Date      | 5 Jun 2001   |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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|   |                      |                             |  |
|---|----------------------|-----------------------------|--|
| <b>TRANSMITTAL<br/>FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number   |                             |  |
|   | Filing Date          |                             |  |
|   | First Named Inventor | Urbain Alfred von der Embse |  |
|   | Group Art Unit       |                             |  |
|   | Examiner Name        |                             |  |
| Total Number of Pages in This Submission  |                      | Attorney Docket Number      |  |

**ENCLOSURES (check all that apply)**

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input checked="" type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input checked="" type="checkbox"/> Assignment Papers<br>(for an Application)<br><input checked="" type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence<br>Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication<br>to Group<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please<br>identify below): |
|--|---|--|

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|                               |                             |
|-------------------------------|-----------------------------|
| Firm<br>or<br>Individual name | Urbain Alfred von der Embse |
| Signature                     | Urbain Alfred von der Embse |
| Date                          | 5 Jan 2001                  |

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 5 Jan 2001

|                       |                             |
|-----------------------|-----------------------------|
| Typed or printed name | Urbain Alfred von der Embse |
| Signature             | Urbain Alfred von der Embse |
| Date                  | 5 Jan 2001                  |

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|  |                      |                                  |
|--|----------------------|----------------------------------|
| <b>REQUEST AND CERTIFICATION<br/>UNDER<br/>35 U.S.C. 122(b)(2)(B)(i)</b> | First Named Inventor | Urban Alfred von der Embse       |
|  | Title                | New Complex Walsh Codes for CDMA |
|  | Atty Docket Number   |                                  |

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

5 Jan 2001  
Date

Urban Alfred von der Embse  
Signature

Urban Alfred von der Embse  
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.